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Attorney Docket No. 9391-2

PATENT

OCT 05 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Helmut Heide et al.
Application No.: 10/085,526
Filed: February 26, 2002

Confirmation No.: 1405
Group Art Unit: 1755
Examiner: Karl E. Group

For: **Resorbable Bone Replacement and Bone Formation Material**

Date: October 5, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT UNDER (37 CFR 1.21)**DATED SEPTEMBER 27, 2004**

Sir:

In response to the outstanding Notice of Non-Compliant Amendment dated September 27, 2004, attached hereto is a revised copy of the Applicant's corrected section (Amendment to the Claims) dated September 2, 2004. Claims 1, 3, 6 and 7 were edited with strikethroughs or double brackets to show deleted words and/or punctuation marks. The remainder of the attached Amendment to the Claims section is identical to the prior submitted paper. Please **note that these claim amendments were based on the claims presented in the Preliminary Amendment dated May 17, 2002.**

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

Respectfully Submitted,



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